



WEB COPY

CRL OP No. 5985 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5985 of 2026

Sinojkumar S/o.Suresh,
Charivukalayil House,
Ayroor North,
Ayroor, Pathanamthitta,
Kerala 689 612.

..Petitioner(s)

Vs

State Represented by :

The Inspector of Police
Avadi Police Station,
Thiruvallur District.
[**Crime No. 45/2026**].

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to grant bail to the petitioner in connection with the Crime No. 45/2026 on the file of the respondent police.

For Petitioner(s): Mr. T.Meganathan

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.01.2026 for the alleged offences under Sections 3(2)(a), 4(1), 5(1)(a) of Immoral Traffic (Prevention) Act in Crime No.45 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner was found to be involved in immoral activities in the Ayurvedic Care Massage Centre at Avadi and forced a victim girl to involve in the immoral trade against her willingness. The victim girl was secured. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not indulged in any immoral activities as alleged by the prosecution. He would further submit that there is no other previous case against the petitioner and hence, he may be enlarged on bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and objected to release the petitioner on bail. However, he fairly submits that there is no other previous case against this petitioner.

5. From the submissions made by the learned Government Advocate (Criminal side), it is seen that under the disguise of massage centre, the petitioner had been doing immoral prostitution. However, the learned Government would fairly submit that there is no previous case against the petitioner.



6. While looking into the factual position that this petitioner has been under incarceration since 30.01.2026, this Court is of the view that by this time, investigation might have been completed and therefore, no more custodial interrogation is required. In such view of the position, this Court is inclined to grant bail to the petitioner, subject to the following stringent conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25000/- (Rupees Twenty-Five Thousand only) with two sureties each, for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Poonamallee** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 2 weeks and thereafter as and when required for interrogation;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned



Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]:

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

09-03-2026

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.I, Poonamallee.
2. The Inspector of Police, Avadi Police Station, Thiruvallur District.
3. The Superintendent of Police, Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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